

In re:  
Tri-State Paper, Inc.  
Debtor

Case No. 23-13237-pmm  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0313-2  
Date Rcvd: Dec 07, 2023

User: admin  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 09, 2023:

Recip ID	Recipient Name and Address
db	Tri-State Paper, Inc., 149 E Church St., Blackwood, NJ 08012-3904

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 09, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 7, 2023 at the address(es) listed below:

Name	Email Address
DAVE P. ADAMS	on behalf of U.S. Trustee United States Trustee dave.p.adams@usdoj.gov
KRISTEN WETZEL LADD	on behalf of Creditor Citizens Bank N.A., successor by merger to Citizens Bank of Pennsylvania kladd@utbf.com, ogomez@utbf.com
MICHAEL A. CIBIK	on behalf of Plaintiff Tri-State Paper Inc. mail@cibiklaw.com, cibiklawpc@jubileebk.net;cibiklaw@recap.email;ecf@kramerica.enterprises;ecf@michaelscottpaper.co;ecf@nalabean.gg
MICHAEL A. CIBIK	on behalf of Debtor Tri-State Paper Inc. mail@cibiklaw.com, cibiklawpc@jubileebk.net;cibiklaw@recap.email;ecf@kramerica.enterprises;ecf@michaelscottpaper.co;ecf@nalabean.gg
MICHAEL I. ASSAD	on behalf of Plaintiff Tri-State Paper Inc. mail@cibiklaw.com, cibiklawpc@jubileebk.net;cibiklaw@recap.email;ecf@casedriver.com;ecf@kramerica.enterprises;ecf@michaelscottpaper.co;ecf@nalabean.gg
PAMELA ELCHERT THURMOND	on behalf of Creditor CITY OF PHILADELPHIA pamelathurmond@phila.gov edelyne.jean-baptiste@phila.gov

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Richard E Furtek

rfurtek@furtekassociates.com cref11@trustesolutions.net

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 8

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: :  
Tri-State Paper, Inc., : Chapter 11  
: :  
Debtor. : Bky. No. 23-13237 (PMM)  
: :  
\_\_\_\_\_ :

**OMNIBUS ORDER RESOLVING MOTION TO DETERMINE FILING FEE IN EACH  
OF 22 ADVERSARY PROCEEDINGS FILED BY THE CHAPTER 11 DEBTOR-IN-  
POSSESSION<sup>1</sup>**

AND NOW, upon consideration of the Debtor's Motion to Determine Filing Fees (the "Motion"), filed separately in each of the Debtor's 22 Adversary Proceedings (as listed in the footnote to this Order, collectively the "Adversary Proceedings");

AND upon consideration of the Bankruptcy Court Miscellaneous Fee Schedule (the "Fee Schedule"), Part G;

AND the Debtor/Plaintiff being a chapter 11 debtor-in-possession;

AND the Motion asserting that fees are not due because the Fee Schedule is ambiguous with regard to the amount, if any, owed by a debtor plaintiff;

BUT the Court determines, to the contrary, that the Fee Schedule requires a chapter 11 debtor-in-possession to pay the filing fee from the estate, if an estate exists;

It is therefore hereby **ordered** that:

- 1) A filing fee of \$350.00 is owed with regard to each of the Adversary Proceedings;
- 2) Counsel for the Debtor must file an affidavit **on or before January 5, 2024** stating whether the chapter 11 estate of the above-captioned Debtor is solvent or insolvent;<sup>1</sup>
- 3) If the estate is attested to be solvent, then the \$350.00 filing fee **must be paid with regard to each of the Adversary Proceedings on or before January 19, 2024;**

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<sup>1</sup> Counsel may file a single Affidavit in the main case.

- 4) If the estate is attested to be solvent and the \$350.00 filing fee is not paid on or before January 19, 2024, then **each of the 22 Adversary Proceedings (or those in which the filing fee has not been paid) may be dismissed without further notice or hearing;** and
- 5) If the estate is attested to be insolvent, then the \$350.00 filing fee will be **suspended** in each of the Adversary Proceedings unless and until recovery, either by settlement or by judgment, is awarded to the estate with regard to each of the Adversary Proceedings.



**Date: 12/6/23**

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**PATRICIA M. MAYER**  
**U.S. BANKRUPTCY JUDGE**

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<sup>i</sup> This order resolves the pending “Motion to Determine Filing Fee” each of the following 22 Adversary Proceedings:

23-00072-pmm Tri-State Paper, Inc. v. Barkmeyer et al  
23-00073-pmm Tri-State Paper, Inc. v. Bowling Green, Inc.  
23-00074-pmm Tri-State Paper, Inc. v. HKGG, Inc.  
23-00075-pmm Tri-State Paper, Inc. v. Foodarama Caterers Inc.  
23-00078-pmm Tri-State Paper, Inc. v. Capuano's at Yardley, Inc.  
23-00079-pmm Tri-State Paper, Inc. v. Capuano Management, Inc.  
23-00080-pmm Tri-State Paper, Inc. v. Del Rossi's Cheesesteak Co., LLC  
23-00081-pmm Tri-State Paper, Inc. v. Villa Rosa Pizza & Restaurant  
23-00082-pmm Tri-State Paper, Inc. v. Meglio, Inc.  
23-00083-pmm Tri-State Paper, Inc. v. M and F LLC  
23-00084-pmm Tri-State Paper, Inc. v. Monte Restaurant, Inc.  
23-00085-pmm Tri-State Paper, Inc. v. Pizza Village Tomato Pie LLC  
23-00086-pmm Tri-State Paper, Inc. v. Pizza Port, Inc.  
23-00087-pmm Tri-State Paper, Inc. v. Nonna Rosa III, LLC  
23-00088-pmm Tri-State Paper, Inc. v. IM LLC  
23-00090-pmm Tri-State Paper, Inc. v. Ramirez  
23-00091-pmm Tri-State Paper, Inc. v. Shoemake  
23-00093-pmm Tri-State Paper, Inc. v. Corinne's Place, Inc.

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23-00094-pmm Tri-State Paper, Inc. v. PC Events, LLC

23-00095-pmm Tri-State Paper, Inc. v. Scarpinato's Cucina and Catering, LLC

23-00096-pmm Tri-State Paper, Inc. v. Holy Tomato LLC

23-00097-pmm Tri-State Paper, Inc. v. Johnny's Pizza of Cherry Hill Limited Liability